

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/829,558    03/28/97    MERUELO

D    8105-009

EXAMINER

HM12/0426

PAUL F. FEHLNER  
DARBY & DARBY, P.C.  
805 THIRD AVENUE  
NEW YORK NY 10022

ZEMAN, R

ART UNIT

PAPER NUMBER

1645

*Handwritten: 12*

DATE MAILED:

04/26/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Interview Summary

Application No.  
08/829,558

Applicant(s)  
Meruelo et al

Examiner  
Robert A. Zeman

Group Art Unit  
1645



All participants (applicant, applicant's representative, PTO personnel):

(1) Robert A. Zeman US PTO

(3) Howard M. Frankfort Applicant's Rep

(2) Daniel Meruelo Inventor

(4) Paul Fehlner Applicant's Rep

Date of Interview Apr 25, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal (copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: None

Identification of prior art discussed:  
Wickham et al. and Barber et al.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussed the applicability of the references with regard to the rejection made under 35 U.S.C. 103(a). Applicant asserts that the said references do not disclose or suggest the limitations of the proposed claims, namely ablation of natural tropism and high efficiency of operation.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

DONNA WORTMAN  
PRIMARY EXAMINER